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| APPLICATION NO.             | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------------|-------------|----------------------|---------------------|------------------|
| 10/823,404                  | 04/13/2004  | Christopher J. Nagel | 2751.2001 US7       | 3242             |
| 38473                       | 7590        | 09/17/2008           | EXAMINER            |                  |
| ELMORE PATENT LAW GROUP, PC |             |                      |                     |                  |
| 515 Groton Road             |             | ART UNIT             |                     | PAPER NUMBER     |
| Unit 1R                     |             |                      |                     |                  |
| Westford, MA 01886          |             |                      |                     |                  |

DATE MAILED: 09/17/2008

Please find below and/or attached an Office communication concerning this application or proceeding.



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|---------------------------------|-------------|---|---------------------|
| 10823404                        | 4/13/2004   | NAGEL, CHRISTOPHER J.                             | 2751.2001 US7       |

EXAMINER

Mark Kopec

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| ART UNIT | PAPER |
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1796                  20080913

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Commissioner for Patents

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 07/03/08 has been entered. Claims 44-54 are pending.

The Terminal Disclaimer filed 07/03/08 is entered. The Disclaimer is NOT approved as signed by attorney not of record.

The timely submission filed on 07/03/08 is not fully responsive to the prior Office action because applicant has not addressed the prior art rejections of record (Final Rejection mailed 06/29/07, pages 9-10).

Since the submission appears to be a bona fide attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

MK  
September 13, 2008

/Mark Kopec/  
Primary Examiner, Art Unit 1796